

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANNETTE WEBB,

Plaintiff,

vs.

THE CITY OF OMAHA, a municipal
corporation, OMAHA POLICE OFFICERS
RIMA and VILLWOK and DOES I through X,
in their individual and official capacities,
Defendants.

Case No. 8:06CV00757

**ANSWER AND
REQUEST FOR JURY TRIAL**

COME NOW the Defendants City of Omaha, Bruce Rima and John Villwok and for their answer to the Plaintiff's Complaint (except for the assault and unlawful detainer actions against the City which were dismissed), state and allege as follows:

1. Admit the first and third sentences of paragraph 1.
2. Admit paragraphs 2 and 3.
3. Admit the first sentence of paragraph 9.
4. Admit paragraph 15.
5. Deny the remaining allegations in the said claim, except those allegations which constitute admissions against the Plaintiff's interest.
6. Affirmatively allege:
 - a) The complaint fails to state a claim upon which relief can be granted.
 - b) Plaintiff was lawfully stopped for a traffic violation, for which she was later found guilty.
 - c) The Defendants Rima and Villwok are entitled to qualified immunity.

WHEREFORE, the Defendants City of Omaha , Bruce Rima, and John Villwok pray that the Plaintiff's complaint be dismissed with prejudice, and that they be awarded their costs and attorney's fees.

REQUEST FOR JURY TRIAL

The Defendants request trial by jury in Omaha, Nebraska, as to all issues so triable.

CITY OF OMAHA, BRUCE RIMA, and JOHN VILLWOK, Defendants

s/ Alan M. Thelen

By _____

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 6, 2007, I electronically filed the foregoing Defendant's **ANSWER AND DEMAND FOR JURY TRIAL** using the CM/ECF system which sent notification of such filing to Sheri E. Long Cotton, 1011 Switchyard Street, #3322, Fort Worth, TX 76107.

s/ Alan M. Thelen
